

### **AMENDMENTS TO THE DRAWINGS**

The attached drawing sheet (Fig. 2) replaces the previous drawing sheet (Fig. 2). The drawing has been amended to be consistent with the specification by adding reference number 40 near the lower left hand corner and by changing reference number 20 to 30 near the top.

Attachment: 1 replacement sheet for Fig. 2.

## **REMARKS**

Applicant's counsel thanks the Examiner for the careful consideration given the Application. By the annexed amendments claims 3-11, 14, 16-18 are pending in this application.

In particular original claims 1, 2, 12, 13 and 15 have been deleted and new independent claims 16, 17 and 18 have been added.

Moreover, dependent claims 3, 4, 6-11 and 14 have been amended in their dependencies.

Finally note that reference 20 in claim 11 has been amended to 30 according to the description as filed, page 11, line 13.

The drawings have been amended accordingly to be consistent with the specification. Indeed reference 20 presently indicates the caps in Figs. 1 and 3.

No new matter has been added by any of the above mentioned amendments.

## **CLAIM OBJECTIONS**

Claim 13 was objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. Please note that claim 13 has been deleted from the present application.

## **CLAIM REJECTION**

Claim 12 was rejected under 35 USC 112 as being indefinite for failing to particularly point out a distinctly claim the subject matter which applicant

regards as the invention. Please note that dependent claim 12 has been deleted from the present application.

### **SPECIFICATION OBJECTIONS**

The specification was objected to because an element illustrated in the drawings is not described or labeled.

In particular in figure 2 a layer of material which the tube ends and tube plates 6 are embedded in is shown but there is no indication in the specification of what this layer is.

Please note that the specification at page 7, lines 4-7 clearly discloses the use of a PFA coating around the tube plate 6 made of stainless steel.

In view of the above the reference 40 has been included in the description and the relevant drawings have been amended accordingly. Indeed the layer shown in the drawings is a PFA protective layer now clearly identified.

### **ALLOWABLE SUBJECT MATTER**

Claims 2-6, 11 and 14 were objected to as being dependent upon a rejected base claim, but would have been allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

Please note that new independent claim 16 is a combination of original independent claim 1 plus the technical features of dependent claims 2 and 6, both allowable.

Please note that no one of the prior art shows a holding seat delimited in radial direction by the containing plate, externally, and by the surface of the tube, internally, and moreover no prior art shows a holding seat which is

further axially delimited, on the one side, by the tube plate and, on the other side, by the clamping plate.

Moreover, no one of the prior art discloses a heat exchanger having a first and a second sealing elements for each tube, said elements being housed in the holding seat as previously defined.

According to the Examiner's opinion dependent claims 2 and 6 were allowable and therefore new independent claim 16 is felt to be patentable over the prior art. Moreover, new independent claim 17 is a combination of original claims 1, 2 and 3; these last two claims being considered allowable in the first Office Communication.

Please note that no one of the prior art made of record discloses the use of two sealing elements for each tube housed in the holding seat and also discloses a spacing bush arranged around the tube and interposed between the two sealing elements.

In this respect also new independent claim 17 is considered to be allowable too.

New independent claim 18 is a combination of original claims 1, 2, 11 and 14; the last three dependent claims being considered allowable by the Examiner. In view of the above also claim 18 is to be considered allowable over the prior art.

Please note that no prior art discloses the use of a clamping plate having an outer surface with a sealing fit for housing a gasket as well as a clamping packing of tube plate, containing plate and clamping plate to obtain deformation of the sealing elements for compression.

## CONCLUSIONS

The prior art made of record but not applied by the Examiner has been carefully considered, but it is not felt to make obvious or anticipate the present claims.

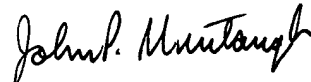
All matters have been addressed above and in view of the pending claims and remarks applicant respectfully requests the entry of these amendments, the Examiner's reconsideration of the application and timely allowance of the pending claims.

Applicant's attorney remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this application.

If any further fees are required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. 35935.

Respectfully Submitted,

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